UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND

Putharachiyamni SOMASUNDARAM Petitioner, v. MICHAEL NESSINGER, Warden, Donald W. Wyatt Detention Facility; PATRICIA HYDE, Acting Field Office Director, U.S. Immigration and Customs Enforcement, Boston Field Office; DAVID J. VENTURELLA, Senior Official Performing the Duties of the Director, U.S. Immigration and Customs Enforcement; and, MARKWAYNE MULLIN, Secretary of U.S. Department of Homeland Security, Respondents.	Case No. 26-545 **PETITION FOR WRIT OF HABEAS CORPUS**

This is a petition for a writ of habeas corpus filed on behalf of Petitioner, Putharachiyamni Somasundaram, seeking the immediate release of Petitioner, who is an asylum seeker, with proceedings now pending before Chelmsford, MA Immigration Court. **Petitioner has a bond hearing scheduled before the Chelmsford Immigration Court on August 11, 2026 at 1:00 PM.**

STATEMENT OF FACTS

1. Petitioner, Putharachiyamni Somasundaram, is a Sri Lankan asylum seeker who has resided in the U.S. for at least 8 years since his original entry on an F-2 visa.
2. Petitioner has a pending application for asylum.
3. Respondents detained Petitioner on July 30, 2026 at the Boston Logan Airport, when he was preparing to fly back to California with his wife and other relatives on a family vacation. Respondents took Petitioner and his wife into custody. It is unclear at this time if Respondents had a warrant for Petitioner's arrest.
4. Petitioner has no criminal record anywhere in the world.
5. Respondents are detaining Petitioner at the Wyatt Detention Facility in Central Falls, Rhode Island.

JURISDICTION AND VENUE

6. This Court has jurisdiction pursuant to 28 U.S.C. § 2241.
7. Venue lies in the District of Rhode Island, the judicial district where Petitioner is currently detained.

PARTIES

8. Petitioner is a citizen and national of Sri Lanka, who is detained in Rhode Island.
9. Respondents Michael Nessinger and Patricia Hyde, and other Respondents of their agents, are the Petitioner's immediate custodians.

CLAIM FOR RELIEF

VIOLATION OF FIFTH AMENDMENT RIGHT TO DUE PROCESS

10. Petitioner's detention violates his right to substantive and procedural due process guaranteed by the Fifth Amendment to the U.S. Constitution.

11. The procedural component of the Due Process Clause of the Fifth Amendment to the United States Constitution prevents the Respondents from depriving Petitioner of liberty without procedural protections.
12. Respondents violated Petitioner's right to not be detained with an individualized custody determination.
13. Petitioner's procedural due process right to counsel of his choosing would be abridged by interstate transfer because Petitioner is represented by counsel based in Boston, Massachusetts. Travel to other states would be impossible or cost prohibitive, inhibiting undersigned counsel's physical access to Petitioner.
14. **Petitioner has a bond hearing scheduled for August 11, 2026 in front of the Chelmsford, MA Immigration Court.** Transferring Petitioner to another state would also divest the Chelmsford Immigration Court of jurisdiction over his bond proceedings, causing him to wait another week, or longer, before he can seek bond before an immigration judge. See EOIR PM 25-49 (PDF) Clerical Transfers of Bond Redetermination Requests (Sept. 15, 2025).

PRAYER FOR RELIEF

WHEREFORE, Petitioner asks this Court to GRANT the following relief:

1. Assume jurisdiction over this matter;
2. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
3. Issue a writ of habeas corpus ordering Respondents to release Petitioner immediately on his own recognizance or under parole, a low bond, or reasonable conditions of supervision;

4. In the alternative, order that the Immigration Court issue a speedy custody redetermination hearing;
5. Issue an order that Petitioner not be removed from Massachusetts pending the adjudication of the writ;
6. Order that ICE return all personal property to Petitioner upon release, including any government issued-IDs, including his work permit and driver's license;
7. Grant any other relief which this Court deems just and proper.

Respectfully submitted,

August 10, 2026

PETITIONER Putharachiyamni SOMASUNDARAM

By his attorney,

/s/Robin Nice

Robin Nice
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CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be sent electronically to the registered participants as identified on the NEF (NEF) and paper copies will be sent to those indicated as non registered participants on July 31, 2026.

Date: August 10, 2026

/s/ Robin Nice

Robin Nice